

From: [Marylou Soscia](#)
To: [Soscia, Marylou](#)
Subject: Fw: Update of 2006 Water Quality Plan
Date: Tuesday, April 25, 2017 11:25:51 AM

Mary Lou Soscia | Columbia River Coordinator | US EPA

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----- Forwarded by Marylou Soscia/R10/USEPA/US on 04/25/2017 11:25 AM -----

From: "LUT Agnes" <LUT.Agnes@deq.state.or.us>
To: "STURDEVANT Debra" <STURDEVANT.Debra@deq.state.or.us>, Marylou Soscia/R10/USEPA/US@EPA,
Cc: "FOSTER Eugene P" <FOSTER.Eugene@deq.state.or.us>
Date: 11/14/2008 03:31 PM
Subject: RE: Update of 2006 Water Quality Plan

HI Deb

Looks like we are OK in calling it a TDG "waiver". Please let me know if I have misinterpreted your email below. Thanks, Deb.

For reference, the OAR does not call it out specifically as a "waiver" but historically that is how we have referenced it for TDG on the Columbia.

Example excerpt from my TDG waiver docs, with reference to OAR:

The Oregon Department of Environmental Quality (ODEQ), with approval from the Environmental Quality Commission (EQC), issues "waivers" to the U.S. Army Corps of Engineers (USACE) to allow for TDG levels above the state standard of 110 percent. According to OAR 340-041-0104 (3) the EQC may modify the total dissolved gas standard in the Columbia River for the purpose of allowing increased spill for salmonid migration. The Commission must find that:

- a) Failure to act would result in greater harm to salmonid stock survival through in-river migration than would occur by increased spill;
- b) The modified total dissolved gas criteria associated with the increased spill provides a reasonable balance of the risk of impairment due to elevated total dissolved gas to both resident biological communities and other migrating fish and to migrating adult and juvenile salmonids when compared to other options for in-river migration of salmon;
- c) Adequate data will exist to determine compliance with the standards; and
- d) Biological monitoring is occurring to document that the migratory salmonid and resident biological communities are being protected.
- e) The Commission will give public notice and notify all known interested parties and will make provision for opportunity to be heard and comment on the evidence presented by others, except that the Director may modify the total dissolved gas criteria for emergencies for a period not exceeding 48 hours;
- f) The Commission may, at its discretion, consider alternative modes of migration.

Agnes Lut
ODEQ - Water Quality
503-229-5247

-----Original Message-----

From: STURDEVANT Debra
Sent: Friday, November 14, 2008 3:08 PM
To: 'Soscia.Marylou@epamail.epa.gov'; LUT Agnes
Subject: RE: Update of 2006 Water Quality Plan

Mary Lou, "variances," not waivers, are what we would call the permitting tool that we are working on as part of the toxics standards work. I think that is the term we wanted to avoid using for the TDG. I think you told me EPA was calling the TDG waivers variances, which is not correct. So the term waiver at least distinguishes it from a

variance. If I'm missing the issue, please let us know. I had not followed up on this.

Thanks,
Debra

-----Original Message-----
From: Soscia.Marylou@epamail.epa.gov
[mailto:Soscia.Marylou@epamail.epa.gov]
Sent: Friday, November 14, 2008 2:27 PM
To: LUT Agnes
Cc: STURDEVANT Debra
Subject: RE: Update of 2006 Water Quality Plan

Agnes - Deb can explain it - it is because we might be using waivers for the FCR WQS and I think it might be confusing from a WQS perspective.

ml

"LUT Agnes"	
<LUT.Agnes@deq.s	
tate.or.us>	To
Marylou Soscia/R10/USEPA/US@EPA,	
11/14/2008 01:50	"STURDEVANT Debra"
PM	<STURDEVANT.Debra@deq.state.or.us
	>
	cc
	Subject
	RE: Update of 2006 Water Quality
	Plan

I haven't heard of any discussions regarding renaming the "waiver" terminology.
Could one of you fill me in?
I frequently use "waiver" when referencing TDG on the Columbia River.

Thanks.

Agnes Lut
ODEQ - Water Quality
503-229-5247

-----Original Message-----
From: Soscia.Marylou@epamail.epa.gov
[mailto:Soscia.Marylou@epamail.epa.gov]
Sent: Friday, November 14, 2008 1:45 PM
To: STURDEVANT Debra
Cc: LUT Agnes
Subject: Fw: Update of 2006 Water Quality Plan

Hey Deb:

You & I spoke about renaming the "waiver" terminology here. Any further ideas or discussion on that.

ml

Mary Lou Soscia
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----- Forwarded by Marylou Soscia/R10/USEPA/US on 11/14/2008 01:39 PM

"Adams, James R
NWD"
<James.R.Adams@usace.army.mil>
<bens@spokanetribe.com>,
11/14/2008 01:20
PM

To
<anns@nezperce.org>,
"Britton, James L NWP"
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<lorit@critfc.org>, "Turner, Rudd
A NWD"
<Rudd.A.Turner@usace.army.mil>,
<waikele@chelanpud.org>

Subject
FW: Update of 2006 Water Quality
Plan

cc

Oooops. Here is the attachment.

-----Original Message-----

From: Adams, James R NWD
Sent: Friday, November 14, 2008 1:13 PM
To: 'Ann Storrar (anns@nezperce.org)'; 'Ben Scofield
(bens@spokanetribe.com)'; Britton, James L NWP; Chong, Randy R NWW;
'Chris Cook (chris.cook@pnl.gov)'; 'Clyde Lay (clay@pn.usbr.gov)'; 'Dan
Spear (djspear@bpa.gov)'; 'David Sta (b) (6) erce.org)';
'david_wills@fws.gov'; 'Dennis Rohr (b) (6)';
'dessig@deq.state.id.us'; 'Don Zarob (b) (6) deq.idaho.gov)';
Easthouse, Kent B NWS; 'Gary Fredricks'; 'Gary Passmore
(gary.passmore@colvilletribes.com)'; Grode, Kevin R NWD02; 'Gwen Carter
(gwenc@nezperce.org)'; 'Jesse Naymik (jnyaymik@idahopower.com)'; 'Jim
Ruff (jruff@nwcouncil.org)'; 'John Palmer
(palmer.john@epamail.epa.gov)'; Juul, Steve T NWW; Krand, John J NWP;
Lear, Gayle N NWD; 'lut.agnes@deq.state.or.us'; Mary Lou Soscia;
'mfilardo@fpc.org'; 'Patti Bailey (patti.bailey@colvilletribes.com)';
'Richard Parkin (parkin.richard@epamail.epa.gov)';
'Ritchie.Graves@noaa.gov'; 'rklinge@dcpud.org'; 'Ross Hendrick

(Rhendr1.EMAILPO.PODOM@gcpud.org)';
'Sheri Sears (sheri.sears@colvilletribes.com)'; 'Susan Braley
(subr461@ecy.wa.gov)'; 'Tom Lorz (lort@critfc.org)'; Turner, Rudd A NWD;
'waikele@chelanpud.org'
Subject: Update of 2006 Water Quality Plan

In the fall of 2006, as part of the preparation of a package to submit to the states of Oregon and Washington for TDG waivers, the Corps updated the "Water Quality Plan for Total Dissolved Gas and Water Temperature in the Mainstem Columbia and Snake Rivers." Many of you participated in this update by reviewing the draft and provided comments to Rudd Turner. Since the states provided the Corps with only a 2-year TDG waiver (which expires after the 2009 spill season), a new package is being prepared to be submitted to the States by the end of December 2008 for extension of the TDG waiver. As part of this effort, the Corps is again updating the Water Quality Plan (attached). Could you please review this updated version and provide comments to me no later than December 1st. I appreciate you time and efforts in helping the Corps complete this plan.

Thanks.

(See attached file: 2008 WQ Plan TDG-Temp UPDATE_Version 13Nov08.doc)